

**ENTERED**

December 30, 2020

David J. Bradley, Clerk

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

SHANE FISHER,

Plaintiff,

VS.

CHEVRON PHILLIPS CHEMICAL  
COMPANY, LP,

Defendant.

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CIVIL ACTION NO. H-19-4930

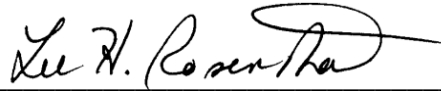
**ORDER ADOPTING MEMORANDUM AND RECOMMENDATION AND  
GRANTING THE DEFENDANT'S MOTION FOR SUMMARY JUDGMENT**

This court has reviewed *de novo* the Memorandum and Recommendation on the motion filed by the defendant, Chevron Phillips Chemical Company L.P., to enforce the settlement agreement it reached with the plaintiff, Shane Fisher, and dismiss this case with prejudice. Rule 72(b), Fed. R. Civ. P.; 28 U.S.C. § 636(b)(1)(C); *United States v. Wilson*, 864 F.2d 1219 (5th Cir. 1989). Based on the pleadings, the record, and the applicable law, the court adopts the Memorandum and Recommendation as this court's Memorandum and Order. This court finds and concludes that Judge Sheldon's decision is amply supported by the record and the law. This court finds and concludes the parties entered into an enforceable contract, by email exchange that contained an offer and acceptance, and was a meeting of the minds on all essential terms of settlement, including payment by the defendant and release and waiver by the plaintiff. The parties manifested their assent to the material terms of the settlement agreement.

Chevron Phillips's motion to enforce the settlement agreement, (Docket Entry No. 31), is granted. Fisher's motions to set aside, to unseal, to extend, and to compel production, are denied. Chevron Phillips's motion for summary judgment, (Docket Entry No. 23), is moot.

Final judgment dismissing this case with prejudice is entered by separate order.

SIGNED on December 30, 2020, at Houston, Texas.

A handwritten signature in black ink, reading "Lee H. Rosenthal". The signature is fluid and cursive, with a long horizontal stroke extending from the end of the name.

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Lee H. Rosenthal  
Chief United States District Judge